



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, MAY 13, 2008

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA 95037

COMMISSIONERS

CHAIR ROBERT L. ESCOBAR
VICE-CHAIR SUSAN KOEPP-BAKER
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER MIKE R. DAVENPORT
COMMISSIONER RALPH J. LYLE
COMMISSIONER JOSEPH H. MUELLER
COMMISSIONER WAYNE TANDA

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: April 8, 2008 and April 22, 2008

PUBLIC HEARING:

- 1) **DEVELOPMENT AGREEMENT AMENDMENT, DAA-06-06B/ DEVELOPMENT SCHEDULE AMENDMENT, DSA-06-01B: MONTEREY-GUNTER:** A request to amend the project development agreement and development schedule for a 15-unit mixed use residential project. The amendments will allow up to 18 additional months to commence construction on the 15 residential units and will also extend the dates for other development milestones. The project site is approximately one acre in size and is located at 17620 Monterey Rd, approximately 100 feet north of Main Ave. in the CC-R Zoning District. (APN 726-23-008)

Recommendation: Open Public Hearing/Adopt Resolutions approving development schedule amendment request and forwarding a recommendation to the City Council for approval of the development agreement amendment.

- 2) **USE PERMIT, UP-08-02: MONTEREY-SHADOW MOUNTAIN BAPTIST CHURCH:** A request for approval of a conditional use permit to allow conversion of an existing 9,600 square foot commercial office building into a 12 classroom private educational facility serving grades K through eight. The project site is located at 17810 Monterey Rd. in the CL-R, Light Commercial Residential zoning district. (APN 727-08-026)

Recommendation: Open Public Hearing/Adopt Resolution approving request.

- 3) **USE PERMIT, UP-08-03: VINEYARD-NORTHERN CALIFORNIA CEMENT MASONS:** A request for approval of a conditional use permit to operate a mason apprentice training center at 15825 Concord Cir. The building is zoned Planned Unit Development allowing for Light Industrial uses. (APN 817-06-034)

Recommendation: Open Public Hearing/Adopt Resolution approving request.

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- 4) **ZONING AMENDMENT APPLICATION, ZA 06-16: CITY OF MORGAN HILL-PUD/RPD, PARKING AND DESIGN REVIEW ORDINANCE AMENDMENTS AND ARCHITECTURAL DESIGN HANDBOOK:** Consideration of modifications proposed to the Planned Unit Development, PUD chapter 18.30 and repeal of Chapter 18.18 Residential Planned Development, RPD zoning. Modifications are also proposed to chapter 2.56 Architectural Review Board, Chapter 18.50 Parking and Paving Standards and 18.74 Design Review. A revised Architectural Design Handbook will also be considered.

Recommendation: Open Public Hearing/Adopt Resolutions approving request, with recommendation to forward to the City Council for approval.

- 5) **DOWNTOWN HISTORICAL RESOURCE DETERMINATIONS:** The Planning Commission will review historical evaluations prepared for 30 properties in the downtown area and will be asked to forward a recommendation to the City Council as to whether or not the properties are historically significant on a local level. The Commission will also be asked to determine whether further evaluation is recommended for other properties and objects in the downtown, including the Granada Theater Sign. (APNs 726-13-011, -020 & -041; 726-14-001 thru -007, -028, -053 & -056; 767-07-010, -022, -023, -037, -053, -056, -060 & -066; 767-08-001, -014, -018, -025, -027, -028, -036, -039, -044 & -047; 767-48-009)

Recommendation: Open Public Hearing/Adopt Resolution with recommendations of historical significance determinations to forward to the City Council.

- 6) **SPECIAL MEETING FOR HISTORICAL RESOURCES ORDINANCE WORKSHOP:** The Planning Commission will be asked to discuss holding a special meeting in June for a Historical Resources Ordinance Workshop.

Recommendation: Discussion.

ANNOUNCEMENTS:

UPCOMING AGENDA ITEMS FOR THE MAY 27, 2008 MEETING:

DAA-04-05B (MP-02-22/SD-04-13): Barrett-Odishoo

DA-08-01 (MMC-07-03/ASD-08-03): Myrtle-Latala

DS-08-01 (MMC-07-03/ASD-08-03): Myrtle-Latala

DAA-04-08/DAA-05-01/DAA-05-02/DAA-05-04/DAA-05-07: Mod. Rate Units-Dividend

UP-08-04: Butterfield-Train for Life

ELBA-08-05 (MC-05-08/SD-06-07): Diana-EAH

DAA-05-10B (MC-04-13/SD-05-15): Barret-Syncon Homes

DSA-07-20B (MC-04-13/SD-05-15): Barret-Syncon Homes

UP-08-05: Tennant-Lana's Dance Studio (Phillips)

Definition of Kitchen as used to define a Dwelling Unit subject to RDCS; & Definition of Senior Housing Types & Standards

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Review of General Plan Level of Service (LOS) Standards for signalized and unsignalized intersections; Review of policy and procedures for preparation of Transportation Impact Analysis (TIAs); and Proposed CEQA Thresholds of Significance for Transportation Factors Selection of Chair and Vice-Chair

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.